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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,854	09/27/2000	Ikuyo Ikeda	196466US 2	6529
22850	7590	04/12/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			TRAN, QUOC A	
			ART UNIT	PAPER NUMBER
			2176	
DATE MAILED: 04/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/669,854

Applicant(s)

IKEDA, IKUYO

Examiner

Quoc A. Tran

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 March 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.


**SANJIV SHAH
PRIMARY EXAMINER**

Applicant's arguments filed 03/30/2005 have been fully considered but they are not persuasive. In response to applicant's arguments on pages 2-6, that Patel in further view of Lee did not teach or suggested the features of the printer diver performing editing processes on image data. The Office respectfully disagrees; the reason for rejection is set forth in the previous rejection and re-enforcing below:

Patel disclosed, an object-oriented printing system includes objects that provide query, data transfer, and control methods. The inventive object-oriented printing system communicates with the remainder of the operating system by means of a standard interface such as a grafport and printer drivers are provided for each printer type within the operating system, as taught at the Abstract and further illustrated in FIG. 1, sheet I of 12, a schematic illustration of a typical computer system utilizing both an application program and an operating system. The computer system is schematically represented by dotted box 100, the application program is represented by box 102 and the operating system by box 106. The interaction between the application program 102 and the operating system 106 is illustrated schematically by arrow 104. This dual program system is used on many types of computers systems ranging from mainframes to personal computers.

Lee disclosed, A Personal Digital Assistant (PDA) printer and printing method. The printer includes a user interface that allows a user, through a display, to select a fax note, which is stored in memory; insert/remove fax headers, set margins, and input fax transmission instructions. The printer includes a memory that stores fax notes fax header insertion/removal instructions, and fax note margin instructions, as taught at the Abstract and further illustrated at col. 2, lines 25-55, wherein a printing method featured a user interface through the display, controlling and editing process, as taught at col. 2, lines 25-55. In ordered for the printer and printing features work together; it would of been obvious to one of an ordinary skill in the art to understand that a printer driver has to be embedded with the system in order to control all the editing and processing features.

~~It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Lee' teaching into Patel's to provide a way, wherein displaying an original document on a screen as a preview of printing; receiving, at least one of a text, an image, and a graphic to be inserted into an image of the displayed original document from a user; receiving a position specified by the user on the displayed image on the screen so as to form a space for inserting the at least one of the text, image, and graphic; inserting the at least one of the text, image, and graphic into the formed space; and displaying a combined image on the screen. One of the ordinary skills in the art would have been motivated to perform such a modification to provide the printing system includes objects that provide queries for device identification, optimized imaging, printer status, data transfer, and control methods such as a grafport and printer drivers are provided for each printer type within the operating system. Thus, an application not only need not worry about the particular printer/computer combination with which it is to operate, but also need not have a built in document formatting capability, as taught by '278 at Abstract (i.e... An object-oriented printing system includes objects that provide query, data transfer, and control methods...).~~

Therefore claims 15-24, remain rejected.